

DRAFT
**A REGULAR MEETING OF THE FAUQUIER COUNTY BOARD OF SUPERVISORS WAS
HELD APRIL 14, 2005 AT 11:00 A.M. IN WARRENTON, VIRGINIA**

P R E S E N T Mr. Raymond E. Graham, Chairman; Mr. Harry F. Atherton, Vice-Chairman;
Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling;
Mr. Paul S. McCulla, County Administrator; Mr. Kevin Burke, Acting
County Attorney

AGENDA REVIEW

The Board of Supervisors reviewed the agenda.

**REMARKS BY FRANK SADLER, REGIONAL REPRESENTATIVE FOR SENATOR
GEORGE ALLEN**

Frank Sadler, Northern Virginia Regional Representative for Senator George Allen, provided the Board of Supervisors with a legislative update.

WORK SESSION TO REVIEW RESULTS OF WASTEWATER STUDY

Larry Miller, Director of the Department of Parks & Recreation, discussed the results of a feasibility study, prepared by Stone Environmental, on the concept of spraying recycled wastewater on ball fields for irrigation purposes.

CAPITAL IMPROVEMENTS PROGRAM (CIP) FY 2006 – FY 2015

Bryan Tippie, Budget Director and Interim Finance Director, reviewed recommendations of the Capital Review Committee for the FY 2006 – FY 2015 Capital Improvements Program.

**A WORK SESSION TO DISCUSS THE RESTRUCTURING OF THE CLARKE-
FAUQUIER-FREDERICK-WINCHESTER REGIONAL JAIL BOARD INTO A
REGIONAL JAIL AUTHORITY**

Catherine Heritage, Assistant County Administrator, and Fred Hildebrand, Superintendent of the Clarke-Fauquier-Frederick-Winchester Regional Jail, discussed the implications of converting from a Regional Jail Board to a Regional Jail Authority.

**A WORK SESSION TO RECEIVE A BRIEFING FROM MILLER BROTHERS, INC.,
REGARDING AN UNSOLICITED PPEA PROPOSAL FOR A PROPOSED HIGH
SCHOOL**

The Board of Supervisors received a briefing from representatives of Miller Brothers, Inc., Dominion Building Partners, LLC, Angler Development, LLC, and Daniel Cook & Associates, Inc., on an unsolicited PPEA¹ proposal to the Fauquier County School Board to build the proposed new high school in Fauquier County.

¹ Public-Private Education Facilities and Infrastructure Act of 2002.

A WORK SESSION TO RECEIVE INFORMATION FROM FAUQUIER HABITAT FOR HUMANITY, INC. REGARDING AFFORDABLE HOUSING ISSUES IN FAUQUIER COUNTY

Jack Flikaid, Executive Director of Fauquier Habitat for Humanity, Inc., discussed the lack of affordable building lots available for Habitat housing projects in Fauquier County.

The meeting was reconvened in Regular Session at 6:30 p.m.

ADOPTION OF THE AGENDA

Mr. Atherton moved to adopt the agenda, with the following changes. Mr. Downey seconded, and the vote for the motion was unanimous as follows:

<i>Ayes:</i>	<i>Mr. Raymond E. Graham; Mr. Harry Atherton; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>None</i>
<i>Abstention:</i>	<i>None</i>

- Addition of Consent Agenda Item “j”, A Resolution to Authorize the Advertisement of Special Exception Requests (#SPEX05-CT-017, #SPEX05-CT-018 and #SPEX05-CT-019), Filed by the Fauquier County School Board, for Public Hearing at the May 12, 2005, Meeting of the Fauquier County Board of Supervisors.
- Addition of Consent Agenda Item “k”, A Resolution Recommending Projects for Inclusion in the Six-Year Improvement Program for the Virginia Department Of Transportation.

CITIZENS’ TIME

- Traci Guynup, of Pennsylvania, formerly a Marshall District resident, spoke on the subject of domestic violence and expressed her dissatisfaction with local public agencies regarding the handling of her personal complaints.
- Yak Lubowski, Center District, announced that Citizens for Fauquier County is holding its second annual Fauquier Spring Cleanup on April 16 and April 17, and invited the community to join in the litter cleanup efforts.
- Tom Reese, Center District, presented an update on the activities of the Disability Services Board.

PROCLAMATIONS AND RECOGNITIONS

- Mr. Graham presented A Proclamation to Designate April 2005 as Donate Life Month in Fauquier County to Mark McCullough, Public Affairs Associate for the Washington Regional Transplant Consortium.
- Mr. Graham presented to Karen Smallwood, Kimberly Walkup and Fannie Shrock, representatives of the Warrenton-Fauquier Joint Communications Center, A Proclamation Declaring the Week of April 10 to April 17, 2005 as Public Safety Telecommunications Week.
- Mr. Stribling announced he will deliver A Proclamation to Honor George Robinson upon the Occasion of His 100th Birthday.

CONSENT AGENDA

Mr. Atherton moved to adopt the following consent agenda items. Mr. Stribling seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Raymond E. Graham; Mr. Harry Atherton; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling

Nays: None

Absent During Vote: None

Abstention: None

Approval of the Minutes for the March 10, 2005 Regular Meeting, and March 15, 2005, March 16, 2005, March 17, 2005, March 31, 2005, and April 7, 2005 Adjourned Meetings of the Fauquier County Board of Supervisors

A Resolution Authorizing the Appointment of Representatives from the Town of Remington and the Town of The Plains to the Fauquier County Disability Services Board

RESOLUTION

A RESOLUTION AUTHORIZING THE APPOINTMENT OF REPRESENTATIVES FROM THE TOWN OF REMINGTON AND THE TOWN OF THE PLAINS TO THE FAUQUIER COUNTY DISABILITY SERVICES BOARD

WHEREAS, the Fauquier County Disability Services Board was created by Resolution of the Board of Supervisors in response to the enactment of the Americans with Disabilities Act; and

WHEREAS, the Disability Services Board focuses at the local level on the needs of persons with physical and sensory disabilities by increasing awareness of the need to foster employment opportunities for qualified workers with disabilities, and by ensuring that community services such as parks, businesses, and services are physically accessible; and

WHEREAS, Section 51.5-47(B.) of the Code of Virginia provides that the local governing body shall determine the number of members of the Disability Services Board; and

WHEREAS, the Disability Services Board includes a representative of the Town of Warrenton in its membership, and wishes to also include representatives of the Towns of Remington and The Plains; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 14th day of April 2005, That the membership of the Disability Services Board be, and is hereby, expanded to include representatives of the Towns of Remington and The Plains.

A Resolution to Approve Amended By-Laws of the Fauquier County Airport Committee

RESOLUTION

A RESOLUTION TO APPROVE AMENDED BY-LAWS OF THE FAUQUIER COUNTY
AIRPORT COMMITTEE

WHEREAS, the Fauquier County Airport Committee wishes to make changes in the Committee By-Laws in order to improve the functioning of the Committee; and

WHEREAS, on March 28, 2005, the Airport Committee held a meeting to review the changes and has approved revisions to its By-Laws that reduce the Committee membership, establish a quorum, and develop standards for Committee attendance; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 14th day of April 2005, That the amended By-Laws of the Fauquier County Airport Committee be, and are hereby, adopted.

A Resolution Authorizing the County Administrator and County Attorney to Execute All Documents Necessary to Acquire a Deed of Easement from the Commonwealth of Virginia for a Trail through Lord Fairfax Community College Property in Warrenton

RESOLUTION

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR AND THE COUNTY
ATTORNEY TO EXECUTE ALL DOCUMENTS NECESSARY TO ACQUIRE A DEED OF
EASEMENT FROM THE COMMONWEALTH OF VIRGINIA FOR A TRAIL THROUGH
THE LORD FAIRFAX COMMUNITY COLLEGE PROPERTY IN WARRENTON

WHEREAS, by previous resolution dated October 15, 2001, the Board of Supervisors accepted a TEA21 grant from the Virginia Department of Transportation for the purpose of extending the Warrenton Branch Greenway to Lord Fairfax Community College; and

WHEREAS, Lord Fairfax Community College has expressed its desire and support for this extension to and across the College property; and

WHEREAS, Lord Fairfax Community College has agreed to allow Fauquier County to install this trail as set forth in the Deed of Easement; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 14th day of April 2005, That the County Administrator and the County Attorney be, and are hereby, authorized to

execute all documents necessary to execute a Deed of Easement with the Commonwealth of Virginia to acquire a right-of-way for the trail at Lord Fairfax Community College in Warrenton, Virginia.

A Resolution to Direct the County Administrator to Schedule a Public Hearing to Receive Citizen Comments on Amending Section 7-2 of the County Code Relating to Polling Place Locations

RESOLUTION

A RESOLUTION TO DIRECT THE COUNTY ADMINISTRATOR TO SCHEDULE A PUBLIC HEARING TO RECEIVE CITIZEN COMMENTS ON AMENDING SECTION 7-2 OF THE COUNTY CODE RELATING TO POLLING PLACE LOCATIONS

WHEREAS, on July 16, 2001, the Fauquier County Board of Supervisors adopted an Ordinance establishing Magisterial districts, precincts and polling places; and

WHEREAS, on April 19, 2004, the Fauquier County Board of Supervisors amended and readopted Section 7-2 of the County Code for Fauquier County, for the purpose of establishing a voting place for each precinct; and

WHEREAS, Mount Carmel Baptist Church, the current polling place location for Lois Precinct, has given official notice of its early termination of the polling place use agreement it entered into with the County; and

WHEREAS, the Community Christian Church has expressed a strong willingness to relocate the Lois Precinct polling place to church facilities; and

WHEREAS, the Board of Supervisors desires to change the location for the above-referenced precinct by amending Section 7-2 of the County Code; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 14th day of April 2005, That the County Administrator be, and is hereby, directed to schedule a public hearing to receive citizen comments on amending Section 7-2 of the County Code relating to the Lois Precinct polling place location.

A Resolution to Adopt a Petty Cash Policy

RESOLUTION

A RESOLUTION TO ADOPT A PETTY CASH POLICY

WHEREAS, the Petty Cash Policy establishes procedures for setup and maintenance of cash accounts for the General County Government and the School Division; and

WHEREAS, the Policy identifies specifications for safeguarding of currency, checks, voucher changes, and audit requirements; now, therefore, be it

RESOLVED, by the Fauquier County Board of Supervisors this 14th day of April 2005, That the Petty Cash Policy be, and is hereby, adopted effective May 1, 2005.

A Resolution to Request that the Virginia Department of Transportation Install “No Parking” Signs on Route 17 (Winchester Road) South of U.S. Interstate 66

RESOLUTION

A RESOLUTION TO REQUEST THAT THE VIRGINIA DEPARTMENT OF
TRANSPORTATION INSTALL “NO PARKING” SIGNS ON ROUTE 17 (WINCHESTER
ROAD) SOUTH OF U.S. INTERSTATE 66

WHEREAS, the Fauquier County Transportation Committee received a request for additional “No Parking” signage on Route 17 (Winchester Road) south of U.S. Interstate 66; and

WHEREAS, the Virginia Department of Transportation (VDOT) requires that the Board of Supervisors forward a resolution approving each request for “No Parking” signage, so VDOT may accommodate these requests; and

WHEREAS, on February 23, 2005, the Fauquier County Transportation Committee recommended approval of the requested “No Parking” signage; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 14th day of April 2005, That the Board of Supervisors does hereby authorize the County’s request for installation and maintenance by VDOT of additional “No Parking” signage on Route 17 (Winchester Road) south of U.S. Interstate 66.

Princess Ann Estates: Preliminary Plat PPLT05-CR-005, Cedar Run District

No action was taken.

A Resolution to Approve a Memorandum of Understanding to Provide Personnel and Financial Services for the John Marshall Soil and Water Conservation District

RESOLUTION

A RESOLUTION TO APPROVE A MEMORANDUM OF UNDERSTANDING TO PROVIDE
PERSONNEL AND FINANCIAL SERVICES FOR THE JOHN MARSHALL SOIL AND
WATER CONSERVATION DISTRICT

BE IT RESOLVED by the Fauquier County Board of Supervisors this 14th day of April 2005, That the Memorandum of Understanding to continue providing personnel and financial services for the John Marshall Soil and Water Conservation, be, and is hereby, approved; and, be it,

RESOLVED FURTHER, That the County Administrator be, and is hereby, authorized to sign the Memorandum of Understanding on behalf of Fauquier County.

A Resolution to Authorize the Advertisement of Special Exception Requests (#SPEX05-CT-017, #SPEX05-CT-018 and #SPEX05-CT-019), Filed by the Fauquier County School Board, for Public Hearing at the May 12, 2005, Meeting of the Fauquier County Board of Supervisors

RESOLUTION

A RESOLUTION TO AUTHORIZE THE ADVERTISEMENT OF SPECIAL EXCEPTION REQUESTS (#SPEX05-CT-017, #SPEX05-CT-018 and #SPEX05-CT-019), FILED BY THE FAUQUIER COUNTY SCHOOL BOARD, FOR PUBLIC HEARING AT THE MAY 12, 2005, MEETING OF THE FAUQUIER COUNTY BOARD OF SUPERVISORS

WHEREAS, Fauquier County School Board, applicant, has filed Special Exception applications (#SPEX05-CT-017, #SPEX05-CT-018 and #SPEX05-CT-019) to locate a high school on the property currently known as Mt. Sterling Farms site; and

WHEREAS, Fauquier County School Board, applicant, also filed a request to amend the Comprehensive Plan related to the provision of utilities to the proposed school site; and

WHEREAS, at its March meeting, the Fauquier County Planning Commission, after due notice and advertisement, did hold public hearings on the Special Exception and Comprehensive Plan Amendment applications; and

WHEREAS, at its March meeting, the Fauquier County Planning Commission did send forth to the Board of Supervisors the Comprehensive Plan Amendment request with a recommendation of denial and did table the Special Exception applications; and

WHEREAS, the Comprehensive Plan Amendment application is scheduled to be heard by the Fauquier County Board of Supervisors at its May 12, 2005, meeting; and

WHEREAS, Fauquier County Zoning Ordinance Section 5-009.5. requires that the Planning Commission forward, not later than its April, 2005 meeting, a recommendation on the Special Exception proposals to the Board of Supervisors; and

WHEREAS, both the Comprehensive Plan amendment application and the Special Exception applications could be heard by the Board of Supervisors at its May 12, 2005, meeting, if the Board of Supervisors authorizes the advertisement of the Special Exception applications public hearing prior to the Planning Commission decision; and

WHEREAS, holding public hearings on both applications at the same meeting will result in citizens and the Board of Supervisors being able to give and receive citizen input on the Comprehensive Plan and Special Exception applications in an efficient and cost-effective manner; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 14th day of April 2005, That the Board does hereby authorize the advertisement and scheduling of the public hearings on Special Exception applications (#SPEX05-CT-017, #SPEX05-CT-018 and #SPEX05-CT-019),

filed by the Fauquier County School Board, applicant, to consider the location of a third public high school, for the May 12, 2005, meeting of the Board of Supervisors.

A Resolution Recommending Projects for Inclusion in the Six-Year Improvement Program for the Virginia Department Of Transportation

RESOLUTION

A RESOLUTION RECOMMENDING PROJECTS FOR INCLUSION IN THE SIX-YEAR
IMPROVEMENT PROGRAM FOR THE VIRGINIA DEPARTMENT OF
TRANSPORTATION

WHEREAS, the Commonwealth Transportation Board (CTB) adopts an annual Six-Year Improvement Program for the Virginia Department of Transportation (VDOT); and

WHEREAS, Fauquier County has pressing primary road improvement projects; and

WHEREAS, the Fauquier County Transportation Committee has reviewed the Virginia Department of Transportation's project recommendations for inclusion in the Six-Year Improvement Program and has determined projects which should be the priorities of the County; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 14th day of April 2005, That the following projects be, and are hereby, recommended as Fauquier County's priorities for inclusion in the Six-Year Improvement Program for the Virginia Department of Transportation:

1. Route 15/29/215 and Route 215:
 - Relocation and construction of Route 215 from Route 15/29 to Vint Hill.
 - Design work for the ultimate interchange at Route 215 and Route 15/29.
2. Route 28:
 - Spot safety and intersection improvements including turn lanes and signalization, where needed, from Route 15/29 to the Prince William County line.
3. Route 15/29/17/Opal Interchange
4. Route 15/29/East Shirley Avenue:
 - Initiate design study for a future interchange at south entrance/exit to Warrenton, Virginia.
5. Business Route 15/29:
 - Curb/gutter and widen road in the Town of Remington, Virginia.
6. Route 15/29 and Route 28:

- Future interchange concept development.
7. Interstate 66:
- Extend acceleration lane that leads from Route 17 southbound to Interstate 66 eastbound (south of Delaplane, Virginia).
8. Route 15/29:
- Accelerate the planning process for the eventual six-laning and interchanges from Route 15/29/17 Bypass north of Warrenton, Virginia to the Prince William County line.
9. Route 29:
- Spot safety and intersection improvements including turn lanes and median closures.

A RESOLUTION TO APPROVE SPEX05-CR-006, A CATEGORY 26 SPECIAL EXCEPTION TO ALLOW FOR A DECREASE IN THE NON-COMMON OPEN SPACE REQUIREMENT, CEDAR RUN DISTRICT

Following discussion, Mr. Graham moved to adopt the following resolution. Mr. Downey seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Raymond E. Graham; Mr. Harry Atherton; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling

Nays: None

Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION TO APPROVE SPEX05-CR-006, A CATEGORY 26 SPECIAL EXCEPTION TO ALLOW FOR A DECREASE IN THE NON-COMMON OPEN SPACE REQUIREMENT

WHEREAS, the owners of the property identified by PIN 6990-45-1135-000 have requested a Category 26 Special Exception to allow a decrease in the non-common open space requirement; and

WHEREAS, the requested Special Exception will allow the applicant to reduce the non-common open space to approximately 38 percent or ± 60 acres in order to create six (6) deed-restricted lots; and

WHEREAS, this approval includes only the lots shown on the Special Exception Plat called "Special Exception Plat, Rodney I. & Hazel D. Smith Property," dated August 25, 2004; and

WHEREAS, on February 17, 2005, the Planning Commission voted to forward this Special Exception SPEX05-CR-006 to the Board of Supervisors with a recommendation of conditioned approval to create four (4) lots; and

WHEREAS, on March 10, 2005, the Board of Supervisors held a public hearing and considered the public testimony; and

WHEREAS, on April 14, 2005, the Board of Supervisors voted to approve Special Exception SPEX05-CR-006, for a non-common open space reduction that would permit the creation of up to six (6) lots; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 14th day of April 2005, That Special Exception SPEX05-CR-006, Rodney I. Smith & Hazel D. Smith, owners and Rodney I. Smith, applicant, be, and is hereby, approved, subject to the following conditions:

1. The Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. The Special Exception is granted for the purpose(s), and/or uses indicated on the Special Exception Plat titled "Special Exception Plat, Rodney I. & Hazel D. Smith Property", dated August 25, 2004 and received in the Planning Office on August 31, 2004 and, as qualified by these development conditions.
3. The request for a reduction of non-common open space from 85% (134.34 acres) to 38 percent (± 60 acres) shall be granted, if and only if, the applicant places deed restrictions on all of the parcels to preclude further subdivision and/or development. The acreage on the two (2) 60-acre parcels may be slightly modified to reflect the actual surveyed acreage of the parcel; however, the remaining acreage shall be divided into two equal portions consistent with the Special Exception Plat.
4. The applicant shall deed restrict all of the parcels including the two ± 60 -acre parcels from further subdivision and place non-common open space easements on the two ± 60 -acre parcels.
5. Prior to any divisions of this parcel (PIN 6990-45-1135-000), the applicant shall submit a survey, from a licensed surveyor or engineer, that clearly indicates the surveyed acreage of the entire property.
6. Per the Virginia Department of Transportation (VDOT) requirements, the applicant shall upgrade the entrance from Route 745, which provides ingress and egress for the Private Subdivision Street Entrance to a standard of 24 feet wide paved and with 25 feet of easement from edge of pavement to access the four (4) lots.

7. To maintain appropriate VDOT sight distance requirements clearing of vegetation at the entrance shall also be done prior to the issuance of the VDOT entrance permit. VDOT also recommends additional pipe (culvert) in this location.
8. Applicant shall provide documentation for deed of ownership on the 50-foot roadway from Route 745 prior to issuance of VDOT entrance permit.
9. The applicant shall meet all VDOT and County requirements regarding access to the future ± 60 -acre parcels.
10. This Special Exception provides only for a reduction in non-common open space. In order to divide this property as proposed, the applicant shall conform to the standards of the Fauquier County Zoning and Subdivision Ordinances and any other pertinent local, State or Federal approvals.

A RESOLUTION TO ADOPT THE EMPLOYEE HEALTH CARE PLAN AND RATES FOR FY 2006

Following discussion, Mr. Downey moved to adopt the following resolution. Mr. Stribling seconded, and the vote for the motion was unanimous as follows:

Ayes: *Mr. Raymond E. Graham; Mr. Harry Atherton; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling*

Nays: *None*

Absent During Vote: *None*

Abstention: *None*

RESOLUTION

A RESOLUTION TO ADOPT THE EMPLOYEE HEALTH CARE PLAN AND RATES FOR FY 2006

WHEREAS, the Health Insurance Advisory Committee has presented recommendations to the Board of Supervisors and the School Board concerning the employee health care program; and

WHEREAS, changes in the benefit plan are necessary to control the increasing costs of health care, now, therefore, be it

RESOLVED, by the Fauquier County Board of Supervisors this the 14th day of April 2005, That the attached report and rates are hereby adopted for FY 2006.

FY 2005 Health Insurance Rates							
KeyCare 10	Monthly Rate	Employer	Employee	Employer	Employee	Retiree &	
		Full Time Per. Contribution	Full Time Per. Rate	Part Time Per. Contribution	Part Time Per. Rate	COBRA Rates	ERIP Rate

Employee Only	\$481	\$451	\$30	\$307	\$174	\$490	\$256
Employee + Child	\$558	\$451	\$107	\$307	\$251	\$569	\$333
Employee + Spouse	\$734	\$451	\$283	\$307	\$427	\$748	\$509
Family	\$815	\$451	\$364	\$307	\$508	\$831	\$590

KeyCare 15

Employee Only	\$466	\$451	\$15	\$307	\$159	\$475	\$241
Employee + Child	\$538	\$451	\$87	\$307	\$231	\$549	\$313
Employee + Spouse	\$704	\$451	\$253	\$307	\$397	\$718	\$479
Family	\$775	\$451	\$324	\$307	\$468	\$790	\$550

Healthkeepers 10

Employee Only	\$456	\$451	\$5	\$307	\$149	\$465	\$231
Employee + Child	\$516	\$451	\$65	\$307	\$209	\$526	\$291
Employee + Spouse	\$674	\$451	\$223	\$307	\$367	\$687	\$449
Family	\$741	\$451	\$290	\$307	\$434	\$756	\$516

Healthkeepers 20

Employee Only	\$451	\$451	\$0	\$307	\$144	\$460	\$226
Employee + Child	\$474	\$451	\$23	\$307	\$167	\$483	\$249
Employee + Spouse	\$622	\$451	\$171	\$307	\$315	\$634	\$397
Family	\$684	\$451	\$233	\$307	\$377	\$697	\$459

FY 2006 Health Insurance Rates

	Monthly Rate	Employer Full Time Per. Contribution	Employee Full Time Per. Rate	Employer Part Time Per. Contribution	Employee Part Time Per. Rate	Retiree & COBRA Rates	ERIP Rate
KeyCare 10							
Employee Only	\$508	\$478	\$30	\$325	\$183	\$518	\$269
Employee + Child	\$585	\$478	\$107	\$325	\$260	\$597	\$346
Employee + Spouse	\$761	\$478	\$283	\$325	\$436	\$776	\$522
Family	\$842	\$478	\$364	\$325	\$517	\$859	\$603

KeyCare 15

Employee Only	\$493	\$478	\$15	\$325	\$168	\$503	\$254
Employee + Child	\$565	\$478	\$87	\$325	\$240	\$576	\$326
Employee + Spouse	\$731	\$478	\$253	\$325	\$406	\$746	\$492
Family	\$802	\$478	\$324	\$325	\$477	\$818	\$563

Key Care 300

Employee Only	\$482	\$478	\$4	\$325	\$157	\$492	\$243
Employee + Child	\$540	\$478	\$62	\$325	\$215	\$551	\$301
Employee + Spouse	\$691	\$478	\$213	\$325	\$366	\$705	\$452
Family	\$754	\$478	\$276	\$325	\$429	\$769	\$515

Healthkeepers 20

Employee Only	\$478	\$478	\$0	\$325	\$153	\$488	\$239
Employee + Child	\$501	\$478	\$23	\$325	\$176	\$511	\$262
Employee + Spouse	\$649	\$478	\$171	\$325	\$324	\$662	\$410
Family	\$711	\$478	\$233	\$325	\$386	\$725	\$472

A RESOLUTION TO AWARD THE DENTAL INSURANCE CONTRACT TO DELTA DENTAL PLAN OF VIRGINIA

Following discussion, Mr. Downey moved to adopt the following resolution. Mr. Stribling seconded, and the vote for the motion was unanimous as follows:

Ayes: *Mr. Raymond E. Graham; Mr. Harry Atherton; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling*
Nays: *None*
Absent During Vote: *None*
Abstention: *None*

RESOLUTION

A RESOLUTION TO AWARD THE DENTAL INSURANCE CONTRACT TO DELTA DENTAL PLAN OF VIRGINIA

WHEREAS, Fauquier County Government and Public Schools requested proposals for dental services; and

WHEREAS, the Health Insurance Advisory Committee has reviewed four proposals to determine the proposal that provides the best financial option, provides the most access to dental providers, and offers the experience and ability to meet the needs of the County; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 14th day of April 2005, That the County and School Dental plan be, and is hereby, awarded to Delta Dental Plan of Virginia for services commencing July 1, 2005; and, be it

RESOLVED FURTHER, That the County Administrator be, and is hereby, authorized to execute the contract for dental insurance upon the review and approval of the County Attorney.

A RESOLUTION AUTHORIZING THE PURCHASE OF NOT LESS THAN THREE AND NOT MORE THAN TEN LOTS IN THE RAPPAHANNOCK LANDING SUBDIVISION FOR TOURISM AND RECREATION PURPOSES

Following discussion, Mr. Graham moved to adopt the following resolution. Mr. Stribling seconded, and the vote for the motion was unanimous as follows:

Ayes: *Mr. Raymond E. Graham; Mr. Harry Atherton; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling*
Nays: *None*
Absent During Vote: *None*
Abstention: *None*

RESOLUTION

A RESOLUTION AUTHORIZING THE PURCHASE OF NOT LESS THAN THREE AND NOT MORE THAN TEN LOTS IN THE RAPPAHANNOCK LANDING SUBDIVISION FOR TOURISM AND RECREATION PURPOSES

WHEREAS, a portion of the property upon which Rappahannock Landing Subdivision is to be built was the subject of a battle between Union and Confederate forces during the Civil War; and

WHEREAS, landowners in the Remington community, the Piedmont Environmental Council, and the Board of Supervisors consider it to be important to preserve as much of the battlefield as is fiscally possible for tourism and recreation purposes; and

WHEREAS, the Piedmont Environmental Council has stated that it intends to seek donations towards the purchase of the lots; and

WHEREAS, the citizens of the Remington area have agreed to raise and donate funds towards the purchase of a portion of the Rappahannock battlefield; and

WHEREAS, the owner of the Rappahannock Landing Development has stated his willingness to sell up to ten lots to help in the preservation of the battlefield; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 14th day of April 2005, That the County Administrator and the County Attorney be, and are hereby, authorized to take all actions necessary to purchase, up to three lots at a cost of up to \$125,000 per lot; and, be it

RESOLVED FURTHER, That the Board of Supervisors does hereby authorize the use of up to \$375,000 of funds from Budget line item #4-302-071140-8509 for the purchase of these lots, said funds being the funds allocated by the previous Board of Supervisors for the purchase of the Southern Sports Field Complex; and, be it

RESOLVED FURTHER, That subject to the receipt of a resolution or letter from the Piedmont Environment Council, not later than April 15, 2005, that its executive board has committed to raising and using \$500,000 towards the purchase of up to four lots, said \$500,000 to be initially paid by the County, but secured by a no-interest promissory note executed by the Piedmont Environmental Council in favor of the Fauquier County Board of Supervisors to be repaid not later than June 30, 2006, the Board hereby authorizes the use of \$500,000 for the purchase of up to four additional lots; and

RESOLVED FURTHER, That the County Administrator is authorized to (i) execute all documents reasonably appropriate in the judgment of the County Administrator and the County Attorney to evidence the arrangement between the County and the Piedmont Environmental Council; (ii) execute grant applications made jointly on behalf of the County and the Piedmont Environmental Council; and (iii) to use any and all donations received from the Piedmont Environmental Council, the citizens for the Remington area, and any other source of donations towards to purchase of additional lots up to a total of ten lots; and, be it

RESOLVED FINALLY, That any monies raised and donated by the Piedmont Environmental Council, the citizens of the Remington area, and any other funding source, over and about those funds necessary to purchase the aforesaid ten lots shall be deposited in Budget line item #4-302-071140-8509 to reimburse the Southern Sports Field program for the up to \$375,000 in funds used towards the purchase of these lots.

APPOINTMENTS

By unanimous consent, the following appointments were approved:

- Fauquier Community Action Committee Board of Directors: Ms. Joan Williams, with no specified term limit.
- Lord Fairfax Community College Board: Dr. Emerson Smith, with a term from July 1, 2005, through June 30, 2009.

SUPERVISORS' TIME

- Mr. Robison reminded encouraged the community to become involved in the countywide spring litter cleanup campaign.
- Mr. Stribling said he had received concern from the community about the lack of recreation options since of the closing of Hugo's skating rink, and stated he is willing to work with anyone who can offer recreational alternatives.
- Mr. Graham expressed his appreciation to the County Administrator and staff for their hard work during the budget cycle process.

ANNOUNCEMENTS

- Mr. McCulla announced that the Board of Supervisors had been invited to attend a seminar on the Rural Plan Update presented by John Keene, at the State Arboretum in Boyce, Virginia, on April 18, 2005, beginning at 1:00 p.m.
- Mr. McCulla advised that the Board of Supervisors' next regular meeting and public hearings scheduled for May 12, 2005, will be held at the Warrenton Middle School auditorium in Warrenton, Virginia, beginning at 6:30 p.m.

AMENDMENT TO THE LAND LEASE AGREEMENT WITH MIDLAND DEVELOPMENT CORPORATION FOR THE DEVELOPMENT OF T-HANGARS AT THE WARRENTON-FAUQUIER AIRPORT

A public hearing was held to consider a resolution to amend the Land Lease Agreement with Midland Development Corporation for the Development of T-Hangars at the Warrenton-Fauquier Airport. Anthony Hooper, Deputy County Administrator, presented an overview of the proposed lease amendment. No one else spoke. The public hearing was closed. Mr. Graham moved to adopt the following resolution. Mr. Downey seconded, and the vote for the motion was unanimous, as follows:

<i>Ayes:</i>	<i>Mr. Raymond E. Graham; Mr. Harry Atherton; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>None</i>
<i>Abstention:</i>	<i>None</i>

RESOLUTION

A RESOLUTION TO AMEND THE LAND LEASE AGREEMENT WITH MIDLAND DEVELOPMENT CORPORATION FOR THE DEVELOPMENT OF T-HANGARS AT THE WARRENTON-FAUQUIER AIRPORT

WHEREAS, the Fauquier County Airport Committee has received and reviewed a proposal from Midland Development Corporation requesting an amendment to the current Land Lease Agreement; and

WHEREAS, on February 28, 2005, the Fauquier County Airport Committee made the following recommended amendment to the current Land Lease Agreement with Midland Development Corporation:

a. Use of Property. Lessee agrees that the leased premises shall be used only for the following purposes:

1. Storing light civilian aircraft in hangars;
2. Office space to support charter operations as approved by the Airport Committee and the County Administrator;
3. Office space to permit the management and operation of leased T-Hangars, subject to the approval of the Airport Committee and the County Administrator.
4. Space to permit the management of charter aircraft under ownership or long term lease (in excess of one year), subject to the approval of the Airport Committee and the County Administrator;
5. No other uses are, or shall be, contemplated except by written amendment to this Lease agreement. Aircraft maintenance except that authorized by the Rules and Regulations and Minimum Standards of the airport is prohibited.

; and

WHEREAS, on April 14, 2005, the Fauquier County Board of Supervisors conducted a public hearing to receive citizen's comments; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 14th day of April 2005, That the Chairman of the Board of Supervisors be, and is hereby, directed to execute the amendment to the existing Land Lease Agreement with Midland Development Corporation.

LEASE AGREEMENT WITH ESSAR AVIATION, LLC, FOR THE CONSTRUCTION OF A T-HANGAR AT THE WARRENTON-FAUQUIER AIRPORT

A public hearing was held to consider the leasing of property to Essar Aviation, LLC, for the construction of a T-Hangar at the Warrenton-Fauquier Airport. Anthony I. Hooper, Deputy

County Administrator, summarized the lease agreement. No one else spoke. The public hearing was closed. Mr. Graham moved to adopt the following resolution. Mr. Downey seconded, and the vote for the motion was unanimous, as follows:

Ayes: Mr. Raymond E. Graham; Mr. Harry Atherton; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling
Nays: None
Absent During Vote: None
Abstention: None

RESOLUTION

A RESOLUTION TO ENTER INTO A LEASE WITH ESSAR AVIATION, LLC, FOR CONSTRUCTION OF A FOURTH T-HANGAR AT THE WARRENTON-FAUQUIER AIRPORT

WHEREAS, the County received competitive submissions for the construction of a fourth T-Hangar as a part of the Fixed Base Operator requests for proposals; and

WHEREAS, the Warrenton-Fauquier Airport Committee has received and reviewed the proposal from Essar Aviation, LLC, to develop a fourth T-Hangar at the Airport; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 14th day of April 2005, That the Chairman of the Board of Supervisors be, and is hereby, authorized to execute the amendment to the existing lease with Essar Aviation, LLC, for the construction of a fourth T-Hangar at the Warrenton-Fauquier Airport.

AMENDMENT TO THE FY 2005 ADOPTED BUDGET IN THE AMOUNT OF \$960,954

A public hearing was held to consider an amendment to the FY 2005 Adopted Budget in the amount of \$960,954, to include various budget related issues in the amount of \$883,582 in appropriations for FY 2005 and \$77,372 in transfers. Bryan Tippie, Budget Director, summarized the proposed budget amendment. Barbara Eickhoff, Scott District, requested that additional funds be made available for renovations at Fauquier High School, to include soundproofing the band room, and making repairs to the heating system in classrooms. No one else spoke. The public hearing was closed. Mr. Downey moved to adopt the following resolution. Mr. Stribling seconded, and the vote for the motion was unanimous, as follows:

Ayes: Mr. Raymond E. Graham; Mr. Harry Atherton; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling
Nays: None
Absent During Vote: None
Abstention: None

RESOLUTION

A RESOLUTION TO AMEND THE FY 2005 ADOPTED BUDGET IN THE AMOUNT OF \$960,954

WHEREAS, the Board of Supervisors is charged by the Code of Virginia with the preparation of an annual budget for Fauquier County; and

WHEREAS, on March 29, 2004 the Fauquier County Board of Supervisors adopted the Fauquier County FY 2005 Budget; and

WHEREAS, during the course of the fiscal year certain events occur which necessitate changing the budget plan by increasing or decreasing the total budget; and

WHEREAS, at its meeting on February 17, 2005, the Finance Committee recommended FY 2005 budget adjustments of \$960,954 for the purposes set forth below; and

WHEREAS, on April 14, 2005, a public hearing was held; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 14th day of April 2005, That the FY 2005 Budget be, and is hereby, amended in the amount of \$960,954 as follows:

Source	FROM Code	Amount	Department	TO Code	Amount
FY 2005					
State Funds	3-100-230000-0020	\$8,303	Sheriff's Office	4-302-031200-8201	\$8,303
Insurance Reimbursement	3-100-411000-0010	\$3,939	Sheriff's Office	4-100-031200-3311	\$3,939
Capital Fund	4-302-94840-8215	\$25,686	Library	4-100-073100-6012 4-100-073100-6047	\$20,000 \$5,686
Capital Fund	4-302-94715-8215	\$1,917	Parks & Recreation	4-100-043415-3160	\$1,917
Capital Fund	4-302-94714-8215	\$38,419	Parks & Recreation	4-100-043415-3160	\$38,419
Capital Fund	4-302-94107-8212-000-000-008	\$21,185	Parks & Recreation	4-100-071120-6011 4-100-071120-5210 4-100-071120-6047	\$4,237 \$4,237 \$12,711
Capital Fund	4-302-94712-8215	\$22,691	Parks & Recreation	4-100-043415-3160	\$22,691

Capital Fund	4-302-94409-8215	\$15,812	Parks & Recreation	4-100-043415-3160	\$15,812
Capital Fund	4-302-94420-8215	\$4,818	General Services	4-100-043417-3160	\$4,818
State Funds	3-100-244100-0145	\$556	Commonwealth's Attorney's Office	4-100-022110-9999	\$556
Federal Funds	3-205-332000-0002	\$74,131	School Division	4-205-061101-1120-200-100	\$68,222
				4-205-061101-2100-200-100	\$5,679
				4-205-061101-2720-200-100	\$230
Capital Fund	4-302-94717-3160	\$29,250	Parks & Recreation	4-100-071130-3160	\$29,250
General Fund P&R Comprehensive Maintenance	4-100-043415-3160	\$2,324	Capital Fund – Rady Park	4-302-94706-8215	\$2,324
Fire & Rescue Association	4-270-032250-3160	\$1,080	Fire & Emergency Services	4-271-032420-1201	\$1,080
Fund Balance	3-100-419000-0010	\$63,250	General Services	4-100-043414-3160	\$63,250
Fund Balance	3-100-419000-0010	\$505,984	Budget Office	4-302-66610-8711	\$505,984
Fund Balance	3-100-419000-0010	\$59,237	Joint Communications	3-220-419000-0010	\$59,237
State Funds	3-100-244005-0015	\$5,000	Water Resource Management	4-100-082200-1302	\$5,000

Contingency Reserve (Transfer)	4-100-091400-9999	\$18,000	Library	4-100-073100-6047	\$18,000
Contingency Reserve (Transfer)	4-100-091400-9999	\$25,000	Library	4-100-073100-6047	\$15,000
				4-100-073100-3160	\$10,000
Contingency Reserve (Transfer)	4-100-071150-1302	\$19,788	Parks & Recreation	4-100-071150-1101	\$26,883
	4-100-071160-1301	\$12,288			\$2,056
	4-100-071160-2100	\$940		4-100-071150-2100	\$2,956
	4-100-071160-5510	\$20			\$1,571
	4-100-071160-5530	\$80		4-100-071150-2210	\$306
	4-100-071160-5540	\$100			\$50
	4-100-071160-5810	\$40		4-100-071150-2310	\$200
	4-100-071150-2100	\$1,116			\$250
				4-100-071150-2400	\$100
				4-100-071150-5510	
				4-100-071150-5530	
				4-100-071150-5540	
				4-100-071150-5810	
TOTAL		\$960,954			\$960,954

AMENDMENT TO THE FY 2005 ADOPTED BUDGET IN THE AMOUNT OF \$854,053

A public hearing was held to consider various budget related issues in the amount of \$773,584 in appropriations for FY 2005 and \$80,469 in transfers. Bryan Tippie, Budget Director, summarized the proposed budget amendment. Mimi Moore, representing Citizens for Fauquier County, spoke in support of the Purchase of Development Rights Program. No one else spoke. The public hearing was closed. Mr. Downey moved to adopt the following resolution. Mr. Stribling seconded, and the vote for the motion was unanimous, as follows:

Ayes: *Mr. Raymond E. Graham; Mr. Harry Atherton; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling*

Nays: *None*

Absent During Vote: *None*

Abstention: *None*

RESOLUTION

A RESOLUTION TO AMEND THE FY 2005 ADOPTED BUDGET
IN THE AMOUNT OF \$854,053

WHEREAS, the Board of Supervisors is charged by the Code of Virginia with the preparation of an annual budget for Fauquier County; and

WHEREAS, on March 29, 2004, the Fauquier County Board of Supervisors adopted the Fauquier County FY 2005 Budget; and

WHEREAS, during the course of the fiscal year certain events occur which necessitate changing the budget plan by increasing or decreasing the total budget; and

WHEREAS, on March 17, 2005, the Finance Committee recommended FY 2005 budget adjustments of \$854,053 for the purposes set forth below; and

WHEREAS, on April 14, 2005, a public hearing was held; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 14th day of April 2005, That the FY 2005 Budget be, and is hereby, amended in the amount of \$854,053 as follows:

Source	FROM Code	Amount	Department	TO Code	Amount
FY 2005					
Federal Funds	4-205-67300-900-000	\$10,000	School Division	4-302-66610-8708	\$10,000
Federal Funds	3-205-332000-0090	\$16,781	School Division	4-205-61100-6013-300-100	\$16,781
State Funds	3-205-242000-0090	\$5,141	School Division	4-205-61311-1620-300-100	\$800
				4-205-61311-2100-300-100	\$65
				4-205-61311-5540-300-100	\$3,276
				4-205-61311-6013-300-100	\$1,000
Donations	3-270-189900-0050	\$854	F&ES F&RA	4-271-032420-6004	\$750 \$104
				4-270-032210-6013	
Insurance Recovery	3-100-411000-0010	\$5,189	Sheriff's Office	4-100-031200-3311	\$5,189
Insurance Recovery	3-100-411000-0010	\$75	Sheriff's Office	4-100-031200-3311	\$75
Local Funds	3-240-189300-0050	\$500,000	Conservation Easement	4-240-081800-6099	\$500,000

F&R Fund Balance	3-270-419000-0010	\$200,000	F&R Projects	4-270-32320-5699	\$200,000
State Funds	3-270-244100-0080	\$5,610	F&RA	4-270-032200-5640	\$35,544
	3-270-244100-0085	\$29,934			
Capital Funds (Transfer)	4-302-94150-8215	\$10,695	Admin Relocation - Construction Reserve	4-302-91400-0100	\$10,695
Capital Funds (Transfer)	4-302-94107-6025-000-000-011	\$900	Land Records Technology – Construction Reserve	4-302-91400-0100	\$900
F&ES (Transfer)	4-271-032420-1101	\$55,334	F&ES	4-271-032420-6011	\$11,400
				4-271-032420-1201	\$9,600
				4-271-032420-2100	\$8,538
				4-271-032420-2210	\$10,560
				4-271-032420-2310	\$14,142
				4-271-032420-2400	\$1,094
Capital Fund (Transfer)	4-302-66630-8721	\$13,540	School Division	4-302-66630-8725	\$13,540
TOTAL		\$854,053			\$854,053

CONVEYANCE OF COUNTY OWNED PROPERTY IN EXCHANGE FOR PROPERTY LOCATED IN MARSHALL

A public hearing was held to consider conveying the following parcels of land in accordance with the provisions of Section 15.2-1800 of the Code of Virginia. The respective PIN numbers and acreage are as follows: 6967-38-0485, 245.5899 acres; 6968-51-1256, 37.8933 acres; 6967-59-2160, 1.7617 acres; 6967-36-7820, 0.0929 acres; 6958-93-4747, 0.0332 acres; and, 6967-37-0401, 0.0141 acres. The parcels are zoned RA and RC and the total acreage is 285.3851. The property would be conveyed in exchange for a parcel shown in the Fauquier County tax records as PIN #6060-70-2278 and 9.6100 acres, zoned R-2, and located in the Village of Marshall, to be used for the Marshall Community pool. Mr. Atherton summarized the proposed property exchange. No one else spoke. The public hearing was closed. Following discussion, Mr. Atherton moved to adopt the following resolution. Mr. Downey seconded, and the vote for the motion was unanimous, as follows:

Ayes: *Mr. Raymond E. Graham; Mr. Harry Atherton; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling*

Nays: *None*
Absent During Vote: *None*
Abstention: *None*

RESOLUTION

A RESOLUTION TO AUTHORIZE THE SALE OF COUNTY OWNED PROPERTY LOCATED AT CLOVER HILL IN EXCHANGE FOR PROPERTY OWNED BY GEORGE R. THOMPSON, TO BE USED FOR THE PROPOSED MARSHALL COMMUNITY POOL

WHEREAS, Fauquier County is the owner of property located at Clover Hill in Marshall Magisterial District totaling 285.3851 acres, consisting of PIN # 6967-38-0485 (245.5899 acres), PIN # 6968-51-1256 (37.8933 acres), PIN # 6967-59-2160 (1.7617 acres), PIN # 6967-36-7820 (0.0929 acres), PIN # 6958-93-4747 (0.0332 acres), and PIN #6967-37-0401 (0.0141 acres), hereinafter collectively referred to as the Clover Hill parcels; and

WHEREAS, the land was purchased for the purpose of constructing a drinking water reservoir that can no longer feasibly be constructed, and which is no longer in the County's comprehensive plan; and

WHEREAS, the land is surplus and is not required by the County; and

WHEREAS, pursuant to Section 15.2-1800 of the Code of Virginia, the County may sell or exchange its real property following a public hearing; and

WHEREAS, the County has conducted a public hearing on the sale or exchange of the aforementioned properties; and

WHEREAS, George R. Thompson is the owner of a parcel of land zoned R-2, located in Marshall Service District and described as PIN #6060-70-2278, which the County desires to purchase as a community pool site; and

WHEREAS, George R. Thompson has agreed to convey the future pool site in exchange for the above-referenced Clover Hill parcels, and the County has determined that the conveyance of the Clover Hill parcels in exchange for the pool site is in the public interest; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 14th day of April 2005, That the Chairman of the Board of Supervisors and the County Administrator be, and are hereby, authorized to execute any and all necessary documents to convey the above-referenced Clover Hill parcels, and to accept the conveyance of the future Marshall Community Pool site.

AMENDMENT TO CHAPTER 8 OF THE FAUQUIER COUNTY CODE, FINANCE AND TAXATION, TO ADD A TRANSIENT OCCUPANCY TAX

A public hearing was held to consider a proposed Ordinance adding a transient occupancy tax to Chapter 8 of the Fauquier County Code. The proposed Ordinance would

impose a 2% (two percent) transient occupancy tax on the total amount of room rentals by transient occupants at hotels, motels, and other establishments renting rooms for thirty days or less. Paul McCulla, County Administrator, summarized the proposed Ordinance. Kevin Carter, General Manager of Airlie Conference Center, spoke in opposition to the proposed tax. Lynn Pirozzoli, owner of the Blackhorse Inn, spoke in opposition to the proposed tax. Kimberly Head, President of the Airlie Foundation, spoke in opposition to the proposed tax. Ralph Marshall, Center District, spoke in support of the proposed tax. No one else spoke. The public hearing was closed. Following discussion, Mr. Downey moved to postpone a decision until the next regular meeting on May 12, 2005. Mr. Robison seconded, and the vote for the motion was unanimous, as follows:

Ayes: Mr. Raymond E. Graham; Mr. Harry Atherton; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling
Nays: None
Absent During Vote: None
Abstention: None

CAPITAL IMPROVEMENTS PLAN (CIP), FISCAL YEARS 2006-2015

A public hearing was held to consider the Capital Improvements Plan (CIP), for Fiscal Years 2006-2015. The CIP lists proposed projects for the School Division and General County Government, which includes Library, General Services, Parks & Recreation, Extension Office, and the SPCA. Bryan Tippie, Budget Director, summarized recommendations for the proposed list of Capital Improvements Plan projects. Kitty Smith, Marshall District, requested the Board delay a decision in order to allow additional time to review school funding. No one else spoke. The public hearing was closed. Following discussion, Mr. Robison moved to postpone a decision until the next regular meeting on May 12, 2005. Mr. Stribling seconded, and the vote for the motion was unanimous, as follows:

Ayes: Mr. Raymond E. Graham; Mr. Harry Atherton; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling
Nays: None
Absent During Vote: None
Abstention: None

PROPOSED TEXT AMENDMENT TO THE ZONING AND SUBDIVISION ORDINANCES

A public hearing was held to consider a Zoning Ordinance Text Amendment to allow petting zoos by Special Use Permit in Rural Agricultural (RA) Districts, to add a new Section 5-1814, setting standards for petting zoos, and to amend Section 15-300, adding a definition of petting zoos. Todd Benson, Assistant Zoning Administrator, summarized the proposed text amendment. Ali and Ruda Qureshi, applicants, request favorable consideration of the text amendment. Margie Newell, Lee District; Jerry Ashby, Lee District; Missy Holmes, Lee District; Adel Wadden, Lee District; Karen Defnael, Lee District; Tom Ott, Lee District; Ralph Marshall, Center District; and Elisa McGovern, Lee District, spoke in favor of the amendment. No one else spoke. The public hearing was closed. Following discussion, Mr. Stribling moved

to adopt the following Ordinance. Mr. Atherton seconded, and the vote for the motion was 4 to 1, as follows:

Ayes: Mr. Raymond E. Graham; Mr. Harry Atherton; Mr. William G. Downey; Mr. Chester W. Stribling
Nays: Mr. Richard W. Robison
Absent During Vote: None
Abstention: None

ORDINANCE

A ZONING ORDINANCE TEXT AMENDMENT TO SECTION 3-318 TO ALLOW PETTING ZOOS BY SPECIAL EXCEPTION IN R-A DISTRICTS, TO ADD A NEW SECTION 5-1814 SETTING STANDARDS FOR PETTING ZOOS, AND TO AMEND SECTION 15-300 ADDING A DEFINITION OF PETTING ZOOS

WHEREAS, Fauquier County has an objective to encourage appropriate business in Agricultural Districts; and

WHEREAS, allowing petting zoos on parcels of land over twenty acres is consistent with that objective; and

WHEREAS, that objective is also consistent with stated objectives and recommendations within the adopted Comprehensive Plan; and

WHEREAS, on April 14, 2005, the Fauquier County Board of Supervisors held a public hearing on this amendment; and

WHEREAS, the adoption of this text amendment would be in the spirit of the Zoning Ordinance, consistent with the adopted Comprehensive Plan, and is in the best interest of the citizens of Fauquier County; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 14th day of April 2005, That Sections 3-318, 5-1814, and 15-300 of the Fauquier County Zoning Ordinance be, and are hereby, amended as follows:

5-1814 Additional Standards for Petting Zoos in the R-A District

1. Petting zoos shall only be allowed as an accessory use to an agricultural use. This condition may be waived by the Board of Zoning Appeals when it finds that the proposal is consistent with surrounding agricultural uses and fosters education about the use of agricultural animals.
2. Not more than one animal unit per two acres shall be allowed on the property.
3. The minimum lot size shall be 20 acres.
4. All structures, including holding and display areas, shall be located a minimum of 100 feet from any property line.

5. Parking areas shall be located 50 feet from adjoining Rural or Residential Districts and shall be screened from adjoining properties.
6. Petting zoos shall not be open to the public before 9:00 a.m. or after thirty minutes before sunset.
7. Any retail sales shall be accessory and incidental to the permitted activity. Retail structures shall not exceed a total of 600 square feet in area.
8. All such uses shall be subject to, and operated in compliance with, all other applicable Federal and State regulations.
9. Petting zoos shall have direct access to a road designated as a major collector (or higher) in the Comprehensive Plan, unless the Board of Zoning Appeals finds that the type and amount of traffic generated by the facility is such that it will not cause an undue impact on the neighbors or adversely affect safety of road usage.
10. The property is limited to one dwelling unit for the owner or caretaker which shall only be allowed if a residence could otherwise lawfully be constructed on the property.
11. The property shall be managed according to a controlled grazing plan adequate to maintain grasses and legumes for grazing and to minimize erosion. Such plan must accompany any application for a Special Use Permit. Thereafter, the current plan shall be made available to the Zoning Administrator upon request.
12. Outdoor amplified music and sound is prohibited.
13. Special Events are subject to Fauquier County Zoning Ordinance Section 3-309(16).
14. A hand sanitation facility shall be located near any place where food is dispensed and at each exit.

15-300 Definitions

PETTING ZOO: A petting zoo is, and shall be limited to, the commercial display and maintenance of the following animals on a farm: chickens; goats; sheep; ducks; geese; donkeys; turkeys; rabbits; pigs; cows; horses; ponies; pheasants; llamas; emus; peafowl; Guinea fowl; and alpaca. It is the intent of this definition to allow only domestic animals common to farms in the United States; however, should a specific breed become common in the United States, consideration may be given to allowing such additional animals.

3-318 Agriculture (Category 18)

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1. Crop/livestock farm		P	P	P	P	P								P	P		P	P
2. Horse farm		P	P	P	P	P								P	P		P	P
3. Dairy farm		SP	P	SP	S	SP											SP	SP
				P														
4. Cattle feed lot greater than 300 head		SP	P	SP													SP	SP
5. Swine farm greater than 20 sows		SP	P	SP													SP	SP
6. Truck farm		P	P	P	P	P								P	P		P	P
7. Poultry farm (over 1000 birds)		SP	P	SP													SP	SP
8. Orchard/vineyard		P	P	P	S	SP											SP	SP
					P													
9. Plant nursery/greenhouse (less than 10,000 sq. ft) wholesale only		P	P	P	P	P								P			P	P
10. Greenhouse (more than 10,000 sq. ft.) wholesale only	X	SP	P	SP	S	SP								P			P	P
					P													
11. Plant nursery/greenhouse retail sales	X	SP	SP	SP	S	SP								P			P	P
					P													
12. Forestry		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
13. Distillation of industrial alcohol (ethanol) in conjunction with a farming operation																		
		SP	SP	SP	S	SP											SP	SP
					P													
14. Land application of Class B Biosolids			A															
15. Class B biosolids storage facility			SE															SE
16. Aquiculture			SE															SE
17. Winery with Special Events, Major	X	SE	SE	SE														
18. Winery with Special Events, Minor	X	SP	SP	SP														
19. Aviary, Commercial		SP	SP	SP														
20. Lumber Yard with incidental retail sales less than 5,000 square feet in size	X													P			P	
21. Farmer's Market	X		SP															
22. Community Farmer's Market	X		SP															
23. Petting Zoo	X		SP															

PROPOSED TEXT AMENDMENT TO THE ZONING AND SUBDIVISION ORDINANCES

A public hearing was held to consider a Zoning Ordinance Text Amendment to Sections 8-1401 and 8-1501, to allow the Board of Zoning Appeals to permit larger directional signs for certain purposes in Conservation, Agricultural, Village, Residential, Commercial, and Industrial Districts. Todd Benson, Assistant Zoning Administrator, summarized the proposed text amendment. Jim Eustace, Cedar Run District, asked for clarification of the existing sign Ordinance; Yak Lubowski, Center District; Kitty Smith, Marshall District; and Mimi Moore, Marshall District, spoke in opposition to the proposed text amendment. No one else spoke. The public hearing was closed. Mr. Graham moved to adopt a Zoning Ordinance Text amendment to Sections 8-1401 and 8-1501 to allow the Board of Zoning Appeals to permit larger directional signs for certain purposes in conservation, agricultural, village, residential, commercial, and industrial districts. Mr. Downey seconded and, following discussion, the vote against the motion was 3 to 2, as follows:

Ayes:

Mr. Raymond E. Graham; Mr. Chester W. Stribling

Nays: **Mr. Harry Atherton; Mr. William G. Downey; Mr. Richard W. Robison**
Absent During Vote: **None**
Abstention: **None**

PROPOSED TEXT AMENDMENT TO THE ZONING AND SUBDIVISION ORDINANCES

A public hearing was held to consider a Zoning Ordinance Text Amendment to Section 3-314 to allow automobile repair and recreational vehicle storage in I-2 Districts. Bob Counts, of Carson and Harris, spoke on behalf of the applicant to request favorable consideration of the text amendment. Joel Hume, Cedar Run District, spoke in opposition to the proposed text amendment, and identified a Scribner's error relating to the section number. No one else spoke. Following discussion, Mr. Graham moved to continue the matter until the next regular meeting on May 12, 2005, in order to allow advertisement of a corrected Notice of Public Hearing. Mr. Downey seconded, and the vote for the motion was unanimous, as follows:

Ayes: **Mr. Raymond E. Graham; Mr. Harry Atherton; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling**
Nays: **None**
Absent During Vote: **None**
Abstention: **None**

PROPOSED TEXT AMENDMENT TO THE ZONING AND SUBDIVISION ORDINANCES

A public hearing was held to consider a Zoning Ordinance Text Amendment to Section 7-604 to allow the Zoning Administrator to waive or modify buffer requirements in RA and RC Districts. Todd Benson, Assistant Zoning Administrator, summarized the proposed text amendment. Steve Hamilton, Cedar Run District, spoke in favor of the proposed amendment. No one else spoke. The public hearing was closed. Mr. Graham moved to adopt the following Ordinance. Mr. Robison seconded, and the vote for the motion was unanimous, as follows:

Ayes: **Mr. Raymond E. Graham; Mr. Harry Atherton; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling**
Nays: **None**
Absent During Vote: **None**
Abstention: **None**

ORDINANCE

**A ZONING ORDINANCE TEXT AMENDMENT TO SECTION 7-604 TO ALLOW THE
ZONING ADMINISTRATOR TO WAIVE OR MODIFY BUFFER REQUIREMENTS
IN RA, RC AND R-1 DISTRICTS**

WHEREAS, on February 17, 2005, the Planning Commission held a public hearing on the issue and forwarded the proposed text amendment to the Board of Supervisors with a unanimous vote recommending its adoption; and

WHEREAS, on April 14, 2005, the Fauquier County Board of Supervisors held a public hearing on this amendment; and

WHEREAS, the adoption of this text amendment would be in the spirit of the Zoning Ordinance, consistent with public convenience and good zoning practices, consistent with the adopted Comprehensive Plan, and is in the best interest of the citizens of Fauquier County; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 14th day of April 2005, That Section 7-604 of the Fauquier County Zoning Ordinance be, and is hereby, amended as follows:

7-604

[1 through 3 – same]

4. Buffer Yard Waivers and Modifications.

Buffer yard requirements may be waived or modified by the Zoning Administrator in the following circumstances. The Zoning Administrator may attach conditions to any waiver or modification in order to assure that the results of the waiver or modification will be in accord with the intent of this ordinance.

- a. Where the strict provisions of this section would reduce the usable area of a lot configuration or size to a point which would preclude a reasonable use of the lot, buffer yards may be waived, reduced and/or modified by the Zoning Administrator, upon showing that the building and/or yard has been designed to minimize adverse impact through a combination of architectural, landscape and/or other design techniques.
- b. The Zoning Administrator may waive, reduce and/or modify buffer yard requirements:
 - (1) If the topography of the lot providing the buffer yard and the lot being protected is such that the required buffer yard would not be effective; or
 - (2) For any public use when it has been specifically designed to minimize adverse impacts on adjacent properties; or
 - (3) When a land use is proposed adjacent to a lake, pond, wetland, or other natural area, which is to remain undeveloped, and which is at least 300 feet in width.
- c. The Zoning Administrator may waive, reduce, and/or modify buffer yard requirements in RA and RC districts when, in the opinion of the Zoning Administrator, reasons or factors for employing buffers are not present.

PROPOSED TEXT AMENDMENT TO THE ZONING AND SUBDIVISION ORDINANCES

A public hearing was held to consider a Zoning Ordinance Text Amendment to Section 3-309, Subsections 14 through 16, to allow spectator and non-spectator field events and activities (Classes A, B, and C) in Conservation Districts by Special Exception. Todd Benson, Assistant Zoning Administrator, summarized the proposed text amendments. Kitty Smith, Marshall District, spoke in opposition to the proposed amendments. No one else spoke. The public hearing was closed. Following discussion, Mr. Atherton moved to adopt the following Ordinance. Mr. Graham seconded, and the vote for the motion was unanimous, as follows:

<i>Ayes:</i>	<i>Mr. Raymond E. Graham; Mr. Harry Atherton; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>None</i>
<i>Abstention:</i>	<i>None</i>

ORDINANCE

A ZONING ORDINANCE TEXT AMENDMENT TO SECTION 3-309, SUBSECTIONS 14 THROUGH 16, TO ALLOW SPECTATOR AND NON-SPECTATOR FIELD EVENTS AND ACTIVITIES (CLASSES A, B, AND C) IN CONSERVATION DISTRICTS BY SPECIAL EXCEPTION

WHEREAS, on February 17, 2005, the Planning Commission held a public hearing on the issue and forwarded the proposed text amendment to the Board of Supervisors with a unanimous vote recommending its adoption; and

WHEREAS, on April 14, 2005, the Fauquier County Board of Supervisors held a public hearing on this amendment; and

WHEREAS, the adoption of this text amendment would be in keeping with the spirit of the Zoning Ordinance, consistent with public convenience and good zoning practices, consistent with the adopted Comprehensive Plan, and is in the best interest of the citizens of Fauquier County; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 14th day of April 2005, That Section 12-606 of the Fauquier County Zoning Ordinance be, and is hereby, amended as follows:

	SITE PLAN	RC	RA	RR-2	V	R-1	R-2	R-3	R-4	TH	GA	MDP	C-1	C-2	C-3	CV	I-1	I-2
14. Spectator and Non-Spectator Field Events and Activities (Class A): steplechase and other equestrian events rodeos, dog and livestock shows, horse and tractor pulls, field sports, fireworks display, fairs and circuses, civil war reenactments and encampments and and scouting encampments	X	<u>SE</u>	SE											SE	SE			SE
15. Spectator and Non-Spectator Field Events and Activities (Class B): equestrian events, rodeos, field sports, scholastic athletic contests, dog and livestock shows, horse and tractor pulls, festivals, arts and craft shows and related fund raising for charitable or non- profit activities, civil war reenactments and encampments, and scouting encampments	X	<u>SE</u>	SE											SE	SE			SE
16. Spectator and Non-Spectator Field Events and Activities (Class C): equestrian events and field sports, rodeos, scholastic athletic contests, festivals, arts and craft shows, and related fund raising for charitable or non-profit activities, family reunions, wedding receptions and similar receptions, picnics, educational seminars, and community-related arts, cultural, agricultural, and educational activities	X	<u>SE</u>	SE											SE	SE			SE

PROPOSED TEXT AMENDMENT TO THE ZONING AND SUBDIVISION ORDINANCES

A public hearing was held to consider a Zoning Ordinance Text Amendment to Section 12-606 to allow the Zoning Administrator to reduce the width of internal driveways and service roads from twenty (20) to eighteen (18) feet for parks in RA, RC and R-1 Districts. Todd Benson, Assistant Zoning Administrator, summarized the proposed text amendments. No one else spoke. The public hearing was closed. Mr. Downey moved to adopt the following Ordinance. Mr. Stribling seconded, and the vote for the motion was unanimous, as follows:

Ayes: *Mr. Raymond E. Graham; Mr. Harry Atherton; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling*

Nays: *None*

Absent During Vote: *None*

Abstention: *None*

ORDINANCE

A ZONING ORDINANCE TEXT AMENDMENT TO SECTION 12-606 OF THE ZONING ORDINANCE TO ALLOW THE ZONING ADMINISTRATOR TO REDUCE THE WIDTH OF INTERNAL DRIVEWAYS AND SERVICE ROADS FROM TWENTY TO EIGHTEEN FEET FOR AGRICULTURAL USES AND PARKS IN RA AND RC DISTRICTS

WHEREAS, on February 17, 2005, the Planning Commission held a public hearing on the issue and forwarded the proposed text amendment to the Board of Supervisors with a unanimous vote recommending its adoption; and

WHEREAS, on April 14, 2005, the Fauquier County Board of Supervisors held a public hearing on this amendment; and

WHEREAS, the adoption of this text amendment would be in keeping with the spirit of the Zoning Ordinance, consistent with public convenience and good zoning practices, consistent with the adopted Comprehensive Plan, and is in the best interest of the citizens of Fauquier County; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 14th day of April 2005, That of Section 3-309 of the Fauquier County Zoning Ordinance be, and is hereby, amended as follows:

12-606 Driveways, Service Roads

1. The pavement of vehicular traffic lanes or driveways, designed to permit vehicular travel on the site and to and from adjacent property and parking areas, shall be not less than twenty (20) feet in width. **This width may be reduced to no less than eighteen (18) feet for parks in RC, RA, and R-1 Districts when, in the opinion of the Zoning Administrator, a lesser width is appropriate because of design, maintenance, or engineering factors, provided the lane or driveway design contains adequate shoulders and drainage.**
2. On any site bordering a primary, arterial or interstate highway, or adjacent to an existing service road in the state highway system, the developer, in lieu of providing travel lanes or driveways that provide vehicular travel to and from adjacent parking areas and adjacent property, may dedicate where necessary and construct a service road under County and State standards for such roads. In such event, the setback requirements shall be no greater if the service road is dedicated than the setback required without the dedication, except in no instance shall a building be constructed closer than twenty (20) feet from the nearest right-of-way line.
3. Upon satisfactory completion, inspection and only upon application by the developer, the County shall take the necessary steps to have such service road accepted by the VDOT for maintenance.

SPECIAL EXCEPTION #SPEX05-CR-016 – YURI A. BART AND EDWIN LEE ROBERTSON, OWNERS AND APPLICANTS – RUNYON ESTATE, CEDAR RUN DISTRICT

Postponed at the request of the applicant.

With no further business, the meeting was adjourned at 9:01 P.M., to reconvene on April 18, 2005.

I hereby certify that this is a true and exact record of actions taken by the Fauquier County Board of Supervisors on April 14, 2005.

Paul S. McCulla
Clerk to the Board of Supervisors